

A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 USC § 1983

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

ERNEST BILLIZONE SR.,

\*

GARY SMITH

RODNEY SMOTHERS

\*

CONNELL ANDERSON

DONALD WILSON; ET. AL.

\*

CLASS

CIVIL ACTION

No.: \_\_\_\_\_

SECTION: \_\_\_\_\_

VERSUS

\*

ALAN J. REINECKE

\*

HILLIARY BROUSSARD

BRYAN LEWIS

\*

JEANETTE DOUCET

SHEILA CRADEUR

\*

DENAE VAUGHN

JEFF CLARK

\*

JAMESA LEGER

ST. MARTIN DEPORRES WORK RELEASE FACILITY

JAMES M. LEBLANC

FRANK SEAWARD

MAGISTRATE: \_\_\_\_\_

JURY TRIAL DEMANDED

ALL PLAINTIFFS HEREIN THIS FOREGOING CAUSE OF ACTION  
REQUESTS THAT THEY NOT BE RETALIATED AGAINST IN ANY WAY  
OR BY SHIPPING OR TRANSFERRING THEM TO ANY D.O.C. FACILITY  
UNLESS IT IS ANOTHER WORK RELEASE OR HALFWAY HOUSE IN  
A GEOGRAPHICALLY CLOSER PROXIMITY TO THEIR HOMES ANY  
OTHER ACTIONS BESIDES THE UNDERLINED WILL BE TAKEN AS  
RETALIATION.

## PREVIOUS LAWSUITS

I. HAVE YOU FILED ANY LAWSUIT OR APPEAL IN ANY FEDERAL DISTRICT COURT OR APPEALS COURT WHICH HAS BEEN DISMISSED? YES \_\_\_\_\_ NO ☒ IF YES, STATE THE COURTS WHICH DISMISSED THE CASE, CIVIL ACTION NUMBERS AND REASON FOR DISMISSAL (E.G. FRIVOLITY, MALICE, FAILURE TO STATE CLAIM, IMMUNITY FROM RELIEF SOUGHT, ETC.) \_\_\_\_\_

II. NAME OF INSTITUTION AND ADDRESS OF CURRENT PLACE OF CONFINEMENT: ST. MARTIN DEPORRES WORK RELEASE, 1101 CANVASBACK ST., LAKE CHARLES, LA. 70615

A. IS THERE A PRISON GRIEVANCE PROCEDURE IN THIS INSTITUTION? YES ☒ NO \_\_\_\_\_

B. DID YOU FILE AN ADMINISTRATIVE GRIEVANCE BASED UPON THE SAME FACTS WHICH FORM THE BASIS OF THIS LAWSUIT? YES ☒ NO \_\_\_\_\_

WHAT ARE THE ADMINISTRATIVE REMEDY PROCEDURE NUMBER? NONE AS OF YET

C. IF YOU DID NOT FILE A GRIEVANCE, EXPLAIN WHY? N/A

D. IF YOU FILED AN ADMINISTRATIVE GRIEVANCE, ANSWER THE FOLLOWING QUESTIONS. WHAT SPECIFIC STEPS DID YOU TAKE AND WHAT WAS THE RESULT? MY GRIEVANCES ARE BEING SCREENED AND NOT RETURNED TO INMATES UNLESS IT DOESN'T CONCERN THIS FACILITY. IF IT IS FAVORABLE TO THE INMATE IT IS DESTROYED BEFORE WE RECEIVE IT.

## III.

### STATEMENT OF CLAIM

THIS IS A CIVIL RIGHTS ACTION FILED BY ERNEST BILLIZONE SR., AND ALL OTHERS MENTIONED HEREIN AS PLAINTIFFS WHOM ARE SIMILARLY SITUATED AND ARE STATE PRISONERS ~~BEING~~ <sup>SUING-</sup>

FOR DAMAGES, DECLARATORY AND INJUNCTIVE RELIEF UNDER 42 U.S.C. § 1983, ALLEGING ABUSE OF AUTHORITY; MALFEASANCE OF OFFICE; DENIAL OF ACCESS TO COURTS; DUE PROCESS OF LAW; ILLEGAL MAIL CENSORSHIP; RACIAL DISCRIMINATION; THEFT BY FRAUD, EMBEZZLEMENT, DENIED RIGHT TO TELEPHONE ACCESS TO ATTORNEYS, INVASION OF PRIVACY AND ILLEGAL AND UNAUTHORIZED CAMERA RECORDING OF STRIP SEARCH AND URINALYSIS; ILLEGAL MAIL TAMPERING AND OPENING OF LEGAL MAIL NOT IN THE PRESENCE OF INMATE; PROPERTY DESTRUCTION; ILLEGAL IMPOSITION OF FEES; MENTAL ANGUISH, NO MEDICALLY TRAINED STAFF OR MEDICAL SERVICES PROVIDED ON SITE, SUBSTANDARD LIVING CONDITIONS, ALSO REQUESTING PUNITIVE DAMAGES.

1.

THIS HONORABLE COURT HAS JURISDICTION OVER THE PLAINTIFF'S CLAIMS OF FEDERAL VIOLATIONS OF CONSTITUTIONAL RIGHTS UNDER 42 U.S.C. §§ 1331 (a) AND 1343.

2.

THIS HONORABLE COURT ALSO HAS SUPPLEMENTAL JURISDICTION OVER THE PLAINTIFF'S STATE LAW TORT CLAIMS UNDER 28 U.S.C. § 1367.

3.

PLAINTIFF AVERS AND SUBMITS, THAT EACH DEFENDANT IS BEING SUED INDIVIDUALLY AND IN HIS OR HER OFFICIAL CAPACITY. AT ALL TIMES MENTIONED IN THIS COMPLAINT EACH DEFENDANT ACTED UNDER THE COLOR OF STATE LAW.

#### IV.

### FACTS

HERE AT KING, ST. MARTIN DEPORRES WORK RELEASE FACILITY, I AM BEING DENIED ACCESS TO COURTS, DENIED THE RIGHT TO POSSESS MY LEGAL BOOKS AND MATERIALS NEEDED TO LITIGATE MY CASE PROPERLY, ALSO, ILLEGALLY STRIP SEARCHING AND GIVING A URINALYSIS WHILE FACING A CAMERA, DENIED LEGAL COPIES OF MOTIONS TO SEND INTO COURT, I WAS FORCED TO WASH PRIVATE VEHICLES WITHOUT BEING PAID, PRIVILEGED LEGAL MAIL WAS OPENED OUTSIDE OF MY PRESENCE, I WAS FORCED TO WORK AT MY JOB AT TEMPERATURES OF 27° WITH LOWER WIND CHILL FACTORS WITHOUT A JACKET, BOOTS OR PROPER CLOTHING IN EXCESS OF 2½ WEEKS, AND AS OF JANUARY 17, 2010 I STILL DON'T HAVE A

JACKET TO WEAR TO PROTECT ME FROM THE ELEMENTS, AND I AM MADE TO WEAR PRISON GARBS TO AN OUTSIDE FREEWORLD JOB, FINALLY I WAS THREATENED BY CINC'S HEAD OF SECURITY WITH THREATS OF RETALIATION IF I PURSUE THESE MATTERS ANY FURTHER. MY PROPERTY WAS DESTROYED BY CUTTING OFF THE HOOD OF MY SWEATSHIRT, YET I AM FORCED TO WORK IN EXTREMELY COLD WEATHER WITH NO HEAD PROTECTION, OR PROPER CLOTHING. AN ILLEGAL INCIDENTAL FEE IS TAKEN FROM INMATES AFTER THE LEGAL RATE OF 50% HAS ALREADY BEEN TAKEN FROM OUR WAGES. WE ARE NOT FED DECENT PORTIONS OF FOOD AND WE ARE DENIED THE RIGHT TO EAT IF YOU ARE TWO MINUTES LATE AND SOMETIMES FIVE MINUTES EARLY. MY LEGAL EFFECTS IS BEING HELD IN EXCESS OF 30 DAYS AND NOT BEING SENT HOME AS I REQUESTED. FACILITY IS BEING RAN BY ALAN J. REINECKE, WHO HAS BEEN FEDERALLY INDICTED FOR EMBEZZLEMENT AND HASN'T STOPPED YET. THERE IS NO LAW LIBRARY AT THIS FACILITY AND THE DIRECTOR MR. REINECKE INFORMED ME THEY WILL NOT CHANGE THAT FACT.

ALSO, MR. GARY SMITH, A PLAINTIFF IN THIS CAUSE OF ACTION HAS COMPLAINTS OF ILLEGAL INCIDENTAL FEES BEING TAKEN FROM HIM FROM THE DATES OF AUGUST 17, 2009 UNTIL THE PRESENT, ALSO BEING ILLEGALLY STRIP SEARCHED AND GIVEN A URINALYSIS BY MONITOR JEFF CLARK ON 11-15-09, AND ILLEGAL MAIL TAMPERING OF (ARP-HDQ-2009-1754) 2ND STEP RESPONSE OPENED ON OR ABOUT 11-16-09, AND MAILED FROM THE 19TH JUDICIAL DISTRICT COURT (ORDER), OPENED 12-16-09.

ON ANOTHER ACCOUNT MR. RODNEY SMOTHERS, HAS COMPLAINTS OF MONIES BEING TAKEN IN EXCESS OF 50% FROM JULY 2009 TO PRESENT AND EXPECTED RELEASE DATE OF JANUARY 2010. ALSO VIOLATION OF ILLEGAL STRIP SEARCH AND URINALYSIS TESTING UNDER CAMERA WITHOUT CONSENT, AND NEVER RECEIVING A RESPONSE FROM (ARP) AND OPENING OF PRIVILEGED CONFIDENTIAL LEGAL MAIL FROM ATTORNEY LEROY HARTLEY.

MR. CONNELL ANDERSON HAS COMPLAINTS OF UNAUTHORIZED AND ILLEGALLY EXCESSIVE FEES BEING TAKEN, ON ONE ACCOUNT THE PLAINTIFF RECEIVED A (\$640) SIX-HUNDRED-FORTY DOLLAR CHECK AND ONLY RECEIVED (\$9.00) NINE-DOLLARS OUT OF IT

AFTER THE ILLEGAL IMPOSITION OF FEES WERE TAKEN, HE ALSO HAS COMPLAINTS OF BEING ILLEGALLY STRIP SEARCHED AND GIVEN A URINALYSIS IN THE VIEW OF A CAMERA WITHOUT HIS CONSENT.

MATTHEW O. STARR, HAS COMPLAINTS OF WORKING FOR OVER (3) THREE MONTHS AND GOING HOME WITHOUT A PENNY IN HIS ACCOUNT BECAUSE OF THE ILLEGALLY IMPOSED FEES, AND BEING STRIP SEARCHED IN THE PRESENCE OF A CAMERA DURING A URINALYSIS WITHOUT HIS CONSENT, AND NOT BEING AFFORDED A BUS TICKET TO GO HOME OR EVEN GIVEN A RIDE HOME OR TO BUS STATION, BUT FORCED OFF OF CINC WORK RELEASE OF LAKE CHARLES' PROPERTY WITH NO MONEY OR MEANS.

ALL PLAINTIFFS HEREIN HAVE BEEN SUBJECTED TO UNCONSTITUTIONAL INFRINGEMENTS OF THEIR FIRST, FOURTH, FIFTH, EIGHTH, AND FOURTEENTH AMENDMENT RIGHTS OF THE UNITED STATES CONSTITUTION.

ST. MARTIN DEPORRES WORK RELEASE IS ALSO DENYING INMATES TO BE TRANSPORTED TO COURTDATES AND THEY REFUSE TO BRING INMATES.

CINC WORK RELEASE OF LAKE CHARLES IS ALSO IN VIOLATION OF FALSIFYING STATE DOCUMENTS, STATING THAT THEY ARE A "WORKFORCE WORK RELEASE" TO ILLEGALLY STEAL AND EMBEZZLE HUNDREDS OF THOUSANDS OF DOLLARS A YEAR FROM INMATES BY TAKING (75%) SEVENTY-FIVE PERCENT OF THEIR WAGES, WHEN IN ACTUALITY THIS IS A "TRADITIONAL WORK RELEASE FACILITY" AND ARE SUBJECT TO LEGISLATIVE LAWS AND GUIDELINES WHICH PROHIBIT THE DEFENDANTS FROM EXCEEDING (50%) OF INMATES WAGES EARNED FROM WORKING, AND TAKEN FOR ROOM AND BOARD AND OTHER ADMINISTRATIVE COST RESULTING FROM PARTICIPATION IN A WORK RELEASE PROGRAM.

PLAINTIFFS REQUEST A CHANCE TO AMEND HIS CLAIM AT A LATER DATE.



## RELIEF REQUESTED

WHEREFORE, PLAINTIFF REQUESTS THAT THE COURT GRANT THE FOLLOWING RELIEF:

A. ISSUE A DECLARATORY JUDGMENT STATING THAT:

1. DEFENDANTS ALAN J. REINECKE, BRYAN LEWIS, HILLARY BROUSSARD, FRANK SEAWARD, AND SHEILA CRADEUR VIOLATED THE PLAINTIFF'S RIGHTS UNDER THE EIGHTH, FOURTH AND FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION AND THEREBY CONSTITUTED CRUEL AND UNUSUAL PUNISHMENT, DENIAL OF DUE PROCESS OF LAW, DENIED ACCESS TO COURTS, AND ILLEGAL SEIZURE OF LEGAL BOOKS AND DOCUMENTS,
2. DEFENDANTS JAMES M. LEBLANC'S FAILURE TO TAKE ACTION TO PROPERLY SUPERVISE DEFENDANTS ALAN J. REINECKE, FRANK SEAWARD, HILLARY BROUSSARD, BRYAN LEWIS, JEANETTE DOUCET, SHEILA CRADEUR, DENAE VAUGHN, JEFF CLARK, JAMESA LEGER,
3. DEFENDANTS ALAN J. REINECKE AND FRANK SEAWARD FAILED TO SUPERVISE PROPERLY, DEFENDANTS HILLARY BROUSSARD, BRYAN LEWIS, JEANETTE DOUCET, SHEILA CRADEUR, DENAE VAUGHN, JEFF CLARK, JAMESA LEGER,
4. DEFENDANTS ALAN J. REINECKE, FRANK SEAWARD, HILLARY BROUSSARD, BRYAN LEWIS, JEANETTE DOUCET, SHEILA CRADEUR, DENAE VAUGHN, JAMESA LEGER VIOLATED THE PLAINTIFF'S RIGHTS UNDER THE EIGHTH AMENDMENT, FOURTH, AND FOURTEENTH TO THE UNITED STATES CONSTITUTION AND CONSTITUTED THEFT BY FRAUD, AND EMBEZZLEMENT UNDER LOUISIANA STATE AND FEDERAL LAW,

B. ISSUE AN INJUNCTION ORDERING DEFENDANTS JAMES M. LEBLANC, ALAN J. REINECKE, FRANK SEAWARD, JEANETTE DOUCET, DENAE VAUGHN, SHEILA CRADEUR, OR THEIR

AGENTS TO:

1. IMMEDIATELY ARRANGE TO STOP TAKING INCIDENTAL FEES WHICH ARE BEING TAKEN BEYOND AND ABOVE THE (50%) FIFTY PERCENT CURRENTLY ALLOWED BY THE LAW WRITTEN AND ENACTED BY THE LEGISLATURE OF LOUISIANA OR UNTIL THE COURT DETERMINES THE LEGALITY OF THESE ACTIONS.

2. CARRY OUT THE ORDERS OF THE COURT IMMEDIATELY.

C. ISSUE AN INJUNCTION TO ORDER DEFENDANTS

ALAN J. REINECKE, FRANK SEAWARD, HILLARY BROUSSARD, BRYAN LEWIS, JEANETTE DOUCET, SHEILA CRADEUR, DENAE VAUGHN, JAMES M. LEBLANC, ST. MARTIN DEPORRES WORK RELEASE FACILITY, JEFF CLARK, TO:

1. COMPORT AND COMPLY TO THE REQUESTS WRITTEN IN THE PRELIMINARY INJUNCTION WHICH ARE TO BE MADE PERMANENT.

D. AWARD COMPENSATORY DAMAGES AND RESTITUTION IN THE FOLLOWING AMOUNTS:

1. \$110,000 JOINTLY AND SEVERALLY AGAINST DEFENDANTS ALAN J. REINECKE, FRANK SEAWARD, HILLARY BROUSSARD, BRYAN LEWIS, SHEILA CRADEUR, JAMES M. LEBLANC, AND JAMESA LEGER FOR THE EMOTIONAL, MENTAL INJURY AND OTHER INJURIES IN OR RESULTING FROM THEIR DENIAL OF DUE PROCESS AND ACCESS TO COURTS.

2. AWARD COMPENSATORY DAMAGES JOINTLY AND SEVERALLY AGAINST DEFENDANTS, ALAN J. REINECKE, FRANK SEAWARD, HILLARY BROUSSARD, BRYAN LEWIS, JEANETTE DOUCET, SHEILA CRADEUR, DENAE VAUGHN, JEFF CLARK, JAMESA LEGER, JAMES M. LEBLANC, FOR ALL OF THEIR CONSTITUTIONAL VIOLATIONS AGAINST ALL PLAINTIFFS HEREIN.

E. AWARD PUNITIVE DAMAGES AGAINST DEFENDANTS

ALAN J. REINECKE, FRANK SEAWARD, HILLARY BROUSSARD,  
BRYAN LEWIS, JEANETTE DOUCET, SHEILA CRADEUR, DENAE  
VAUGHN, JEFF CLARK, JAMESA LEGER, JAMES M.  
LEBLANC,

AMOUNT TO BE DETERMINED BY THE COURTS  
AS LONG AS IT IS DEEMED FAIR AND EQUITABLE BY  
THE PLAINTIFFS,

DATE: FEBRUARY 1, 2010

*Ernest Billzone Sr.* ET. AL.

ERNEST BILLIZONE SR., ET. AL.



# AFFIDAVIT

I DO CERTIFY UNDER PENALTY OF PERJURY THAT I AM  
A PLAINTIFF IN THE FOREGOING CAUSE OF ACTION AGAINST  
CINC WORK RELEASE OF LAKE CHARLES, LOUISIANA, AND THAT  
ALL STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY  
KNOWLEDGE AND UNDERSTANDING, AND AS TO STATEMENTS BASED  
ON BELIEF OR HEARSAY I BELIEVE THEM TO BE TRUE.

THUS EXECUTED AND SIGNED AT CINC 1 WORK RELEASE  
OF LAKE CHARLES, LOUISIANA 70615, ON THIS 20 DAY OF  
DECEMBER, 2009.

1. ERNEST BILLIZONE SR.

2. Gary Smith

3. Rodney Smothers

4. Connell Anderson

5. Donald Wilson Jr.

6. Eugene Edwards

7. Roland Ploucha

8. Albert Bullock

9. Travis Moore

10. Brian D. Williams

11. Alfred Shannon

12. Berkeley Dixon

13. Shannon Martin

14. Jimmy Thomas

15. Jerome Knockum 100797

16. JAMAR ANDERSON

17. Renaldo Mathieu

18. Ryan McMahon

19. Steven Morris

20. Jeremy Walker

21. DERRICK S. LEE

22. Cedric L. Fuller

lt Billy Dr. 318027

Gary Smith #88648

Rodney Smothers #369791

Connell Anderson

Donald Wilson Jr. #507266

Eugene Edwards #376159

Roland Ploucha 547959

Albert Bullock #334340

J.D. Mc #425686

Brian Williams #345218

Alfred Shannon #109239

Berkeley Dixon #364073

Shannon Martin #450445

Jimmy Thomas #452346

Jerome Knockum 100797

Jamar Anderson #167938

Renaldo Mathieu #527838

Ryan McMahon #494240

Steven Morris #492936

Jeremy Walker #396034

Derrick Lee #342424

Cedric L. Fuller 540514

23. Gregory Griffin	#103355 Gregory Griffin
24. Matthew O'Stan	MATTHEW O'STAN 452030
25. James Harrison	James Harrison 389780
26. Russell Thymes	Russell Thymes 263657
27. O'Jeda Sims	O'Jeda Sims 466358
28. Christopher Jordan	Christopher Jordan 367687
29. Gregory D. Searles Jr.	Gregory D. Searles Jr. #775896
30. Thai Nguyen	
31. BRANDON KERN	
32. Cedrick Dixon	Cedrick Dixon
33. Willie LaSalle	Willie LaSalle
34. Derek Lenoir	Derek Lenoir #447227
35. Anthony Vigil	Anthony Vigil 411098
36. Louis Grear	Louis Grear 268071
37. Ricky Vaughn	Ricky Vaughn 287287
38. Martinez Emiliano	Martinez Emiliano 458890
39. Willie Alexander	Willie Alexander 489208
40. Kendrick Morris	Kendrick Morris 440264
41. Sammy CARUSO	Sammy Caruso 335134
42. Joseph Robertson	Joseph Robertson #118099
43. Solomon B Guillory	Solomon B Guillory #120347
44. Troy Mercadel	Troy Mercadel #113961
45. Randy Walker	Randy Walker #295115
46. Lindsey Peters	Lindsey Peters #120695
47. Farrell Williams Jr.	Farrell Williams Jr. 327444

PLAINTIFF REQUESTS THAT EACH PERSON WHOSE NAME  
APPEARS WITHIN THIS AFFIDAVIT AS PLAINTIFFS BE MAILED A  
DOCKET NUMBER AND KEPT UPDATED IN REFERENCE TO THIS  
FOREGOING CAUSE OF ACTION.

THE ADDRESS TO ALL OF THE FOREGOING NAMES ARE TO BE  
MAILED TO:

1101 CANVASBACK ST.

LAKE CHARLES, LA. 70615

LIST CONTINUED ON FOLLOWING PAGE;

48. Isaiah J. Ferdinand & Isaiah J. Ferdinand #263456  
49. Byron Robins Byron Robins 133142  
50. Leroy Mosley Leroy Mosley 535937